
EXHIBIT M9

WATER QUALITY MANAGEMENT PERMIT
EAST CENTRAL SEWER



Pennsylvania Department of Environmental Protection

Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428

March 31, 1998

Southeast Regional Office

610-832-6130
Fax 610-832-6133

Mr. Rosenberry
Willistown Township
688 Sugartown Road
Malvern, PA 19355

RECEIVED

APR 03 1998

**WILLISTOWN
TOWNSHIP**

Re: Sewerage Permit No. 1597417
East Central Sanitary Sewer Project
Willistown Township
Chester County

Dear Mr. Rosenberry:

Referenced permit is enclosed.

Please study the permit carefully and direct any questions to the Permits Section of this office.

Please take the time to complete the enclosed questionnaire and return it in the pre-addressed and stamped envelope. Your response will be taken into account as we consider ways of improving our service to the public and regulated community. Thank you for your cooperation.

Sincerely,

Steve O'Neil
Acting Regional Manager
Water Management

Enclosures: Permit
Standard Conditions Relating to Sewerage
Standard Conditions Relating to Erosion Control

cc: Mr. Linahan, Yerkes Associates, Inc.
Willistown Township
Chester County Health Department
Permits and Compliance
Ms. W. Warren
Re 30 (RN)9837-13c



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER MANAGEMENT PROGRAM

PERMIT NO. 1597417
AMENDMENT NO. _____

WATER QUALITY MANAGEMENT PERMIT

A. PERMITTEE (Name & Address): Willistown Township 688 Sugartown Road Malvern, PA 19355			
B. PROJECT (Name, County, Municipality) East Central Sanitary Sewer Project Willistown Township Chester County			
C. THIS:		<input checked="" type="checkbox"/> Permit	<input type="checkbox"/> Permit Amendment
APPROVES:		<input checked="" type="checkbox"/> The construction/operation of:	Modification(s) to the construction/operation of:
		_____ Sewage Treatment Facilities	_____ Industrial Waste Treatment Facilities
		_____ Land Application Facilities	_____ Other: _____
		_____ Average Design Flow of _____	_____ MGD consisting of: _____
		_____	_____
		<input checked="" type="checkbox"/> Sewers and Appurtenances	<input checked="" type="checkbox"/> Pump Station(s)
		_____ Impoundment(s)	_____ Injection Well(s)
		<input checked="" type="checkbox"/> Soil Erosion & Sedimentation Control Plan	_____
		<input checked="" type="checkbox"/> Stream Crossing(s)	_____ Outfall & Headwall(s)
D. APPROVAL GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:			
1. a. All construction, operations, and procedures shall be in accordance with the Water Quality Management Permit/Permit Amendment Application dated <u>12/19/97</u> , its supporting documentation, and addendums dated _____			
Such application, its supporting documentation and addendums are hereby made a part of this permit.			
b. Water Quality Management Permit No. _____ dated _____ and conditions, supporting documentation and addendums are (except for any modifications to the original permit herein permitted) also made a part of this permit amendment.			
2. Conditions numbered <u>1-7, 9, 13, 14, 16, 20-22</u> of the <u>Sewerage</u> standard			
conditions dated <u>09/83</u> and conditions numbered <u>1-12</u> of the erosion control standard			
conditions dated <u>08/91</u> are attached and made part of this permit.			
3. Special conditions numbered <u>I & II</u> are attached and made part of this permit.			
E. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS:			
1. If there is a conflict between the application or its supporting documents and amendments and the standard or special conditions, the standard or special conditions shall apply.			
2. Failure to comply with the rules and regulations of the Department or with the terms or conditions of this permit shall void the authority given to the permittee by the issuance of the permit.			
3. This permit is issued pursuant to the Clean Stream law Act of June 22, 1937, P.L. 1987, <u>as amended</u> 35 P.S. § 691.1 <u>et seq.</u> , and/or the Dam Safety and Encroachments Act of November 26, 1978, P.L. 1375, <u>as amended</u> , 32 P.S. § 693.1 <u>et seq.</u> Issuance of this permit shall not relieve the permittee of any responsibility under any other law.			
4. Industrial Facilities - If the herein permitted facilities or modifications are not completed with two (2) years of the issue date below, this permit will become null and void and reapplication shall be required.			
PERMIT ISSUED:		DEPARTMENT OF ENVIRONMENTAL PROTECTION	
DATE <u>03/31/98</u>		BY: <u>Steve F. O'Neil</u>	
AMENDMENT ISSUED:		TITLE: <u>Regional Manager, Water Management</u>	
DATE _____		_____	

Sewerage Permit No. 1597417
Willistown Township
Willistown Township, Chester County

This permit is subject to the following Special Condition(s):

1. If there is a change in ownership of this facility or in permittee name, an application for transfer of permit must be submitted to the Department.
2. Consistent with Department of Environmental Protection Policy, the Department did not conduct a detailed technical review of the application for this permit. The Department considers the registered professional engineer whose seal is affixed to the design documents, to be fully responsible for the adequacy of all aspects of the facility design.

Re 30 (RN)9837-13b

STANDARD CONDITIONS RELATING TO SEWERAGE - PART II PERMITS

For use in Water Quality Management Permits

1. During construction, no changes affecting any engineering design parameter shall be made from the plans, designs, and other data herein approved unless the permittee shall first receive written approval thereof from the Department. The sewerage facilities shall be constructed under expert engineering supervision and competent inspection.
2. The sewers shall have adequate foundation support as soil conditions require. Trenches shall be back-filled such that the sewers will have proper structural stability, with minimum settling and adequate protection against breakage. Concrete used in connection with these sewers shall be protected from injury by water, freezing, drying or other harmful conditions until cured.
3. Manhole inverts shall be so formed as to facilitate the flow of the sewage and to prevent the stranding of sewage solids, and the whole manhole structure shall have proper structural strength and be so constructed as to prevent undue infiltration, entrance of the street wash or grit, and to provide convenient and safe means of access and maintenance.
4. No stormwater from pavements, area ways, roofs, foundation drains or other sources shall be admitted to the sanitary sewers herein approved.
5. The permittee shall adopt and enforce an ordinance requiring the abandonment of privies, cesspools or similar receptacles for human waste and on-lot sewage disposal systems on the premises of occupied structures which are accessible to public sewers and require the connection of such structures to the public sewers.
6. The herein approved sewers shall be maintained in good condition, kept free from deposits by flushing or other proper means of cleaning and repaired when necessary.
7. The permittee shall file with the Department of Environmental Resources "as-built" plans showing the correct plan of all sewers and sewerage structures as actually constructed together with any other information in connection therewith that may be required.
8. The outfall sewer or drain shall be extended to the low water mark of the receiving body of water. Where necessary to assure the proper mixing and waste assimilation an outfall sewer or drain may be extended with appurtenances below the low water mark and into the bed of navigable stream, provided that the permittee has secured an easement, right-of-way, license, or lease from the Department in accordance with Section 15 of the Dam Safety and Encroachment Act, the Act of November 26, 1978, P.L. 1375, as amended.
9. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights, by easement or otherwise, providing for the satisfactory construction, operation, maintenance and replacement of all sewers or sewerage structures in, along or across private property, with full rights of ingress, egress and regress.
10. When the herein approved sewage treatment works is completed and before it is placed in operation, the permittee shall notify the Department in writing so that an inspection of the works may be made by a representative of the Department.
11. The various structures and apparatus of the sewage treatment works herein approved shall be maintained in proper condition so that the facility will individually and collectively perform the functions for which they were designed.
12. If, in the opinion of the Department, these works are not so operated or if by reason of change in the character of wastes or increased load upon the works, or changed use or condition of the receiving body of water, or otherwise the effluent from the said works ceases to be satisfactory or the sewerage facilities shall have created a public nuisance, then upon notice by the Department, the right herein granted shall cease and become null and void unless within the time specified by the Department, the permittee shall adopt such remedial measures as will produce an effluent which, in the opinion of the Department, will be satisfactory.

DEPARTMENT OF ENVIRONMENTAL RESOURCES
STANDARD CONDITIONS RELATING TO EROSION CONTROL
For Use in Water Quality Management Permits

August 1991

1. By approval of the plans for which this permit is issued, neither the Department nor the Commonwealth of Pennsylvania assumes any responsibility for the feasibility of the plans or the operation of the measures and facilities to be constructed thereunder.
2. If at any time the erosion and sedimentation activities undertaken pursuant to this permit or the discharge of the effluent therefrom is causing or contributing to pollution of the waters of the Commonwealth, the permittee shall forthwith adopt such remedial measures as are acceptable to the Department.
3. This permit does not authorize any earth disturbance controlled by an ordinance enacted by a local municipality. Additional permits must be secured from local municipalities where earthmoving activities are covered by local ordinances.
4. At least seven days before earthmoving will begin, the permittee, by telephone or certified mail, shall notify the Department or its designee of the date for beginning of construction and invite the County Conservation District Representative to attend a pre-construction conference with the contractor. The permittee shall have his erosion control plan available at the site of the activity at all times.
5. All earthmoving activities shall be undertaken in the manner set forth in the erosion and sedimentation control plan identified with this permit. Revisions to the plan shall be pre-approved by the Department.
6. The erosion control measures and facilities shall be constructed under the supervision and competent inspection of an individual trained and experienced in erosion control, and in accordance with plans, designs and other data as herein approved or amended, and with the conditions of this permit. Control facilities shall be frequently inspected and maintained to insure effective control.
7. When the herein approved erosion control measures and facilities are completed, the permittee shall notify the County Conservation District so that an inspection of the measures and facilities may be made.
8. No storm water, sewage or industrial wastes not specifically approved herein, shall be admitted to the erosion and sedimentation measures and facilities for which this permit is issued, unless with the approval of the Department.
9. Sediment shall at no time be permitted to accumulate in sedimentation basins to a depth sufficient to limit storage capacity or interfere with the settling efficiency thereof. The sediment removed shall be handled and disposed of in a manner that will not create pollution problems and so that every reasonable and practical precaution is taken to prevent the said material from reaching the waters of the Commonwealth.
10. All slopes, channels, ditches or any disturbed area shall be stabilized as soon as possible after the final grade or final earthmoving has been completed. Where it is not possible to permanently stabilize a disturbed area immediately after the final earthmoving has been completed or where the activity ceases for more than 20 days, interim stabilization measures shall be implemented promptly.
11. Upon completion of the project, all areas which were disturbed by the project shall be stabilized so that accelerated erosion will be prevented. Any erosion and sedimentation control facility required or necessary to protect areas from erosion during the stabilization period shall be maintained until stabilization is completed. Upon completion of stabilization, all unnecessary or unusable control measures and facilities shall be removed, the areas shall be graded and the soils shall be stabilized.
12. The responsibility of carrying out the permit conditions shall rest with the owner, lessee, assignee or other responsible manager of earthmoving that affects the approved erosion controls. Such responsibility passes with each control succession.



STATE OF PENNSYLVANIA

} SS

COUNTY OF

On the **31st** day of **March** in the year one thousand
nine hundred and **Ninety Eight** before me, the Subscriber, a Notary
Public, came the above named

and duly acknowledged the foregoing permit to be his act and deed and desired
that the same might be recorded as such.

Witness my hand and notarial seal the day and year aforesaid.


NOTARY PUBLIC

